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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,356	02/27/2002	Masahiro Kageyama	H-1037	9182
7590 10/12/2007 Mattingly, Stanger & Malur, P.C. Suite 370 1800 Diagonal Road Alexandria, VA 22314			EXAMINER JOO, JOSHUA	
			ART UNIT 2154	PAPER NUMBER
			MAIL DATE 10/12/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/083,356	Applicant(s) KAGEYAMA ET AL.	
	Examiner Joshua Joo	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 12-15 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 12-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Response to Communication dated 07/31/2007

1. Claims 1-8, 12-15 are presented for examination.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8, 12-15 have been considered but are moot in view of the new ground(s) of rejection. The new ground(s) of rejection are necessitated by Applicant's amendment.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 3-8, 12-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - i) Regarding claims 3, "the first and second object information" lacks sufficient antecedent basis.
 - ii) Regarding claim 4, "the messages" lack sufficient antecedent basis. The claim recites only of "a message."
 - iii) Regarding claim 7, "the object information" lacks sufficient antecedent basis.
 - iv) Regarding claim 12, "the object information" lacks sufficient antecedent basis.
 - v) Regarding claim 15, "the object information" lacks sufficient antecedent basis.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeWeese et al. US Publication #2005/0262542 (DeWeese hereinafter), in view of Abrahams, US Publication #2002/0120934 (Abrahams hereinafter).

7. As per claim 1, DeWeese teaches substantially the invention as claimed including an information exchange method comprising the steps of:

obtaining a content of interest rendered by media using first and second terminal devices for information exchange connected to a computer network (Paragraph 0097. Users watch a television program. Fig. 2b; Paragraph 0073. User television equipment.);

displaying a video image regarding the content on the first and second terminal devices (fig. 9,13, and 17. Paragraph 0097. Users watch a television program.);

sending identification information to identify the displayed video image from the first and second terminal devices to a server device connected to the computer network, respectively across the computer network (Paragraph 0113. Chat groups are related to particular television programs or channel. Paragraph 0133. Chat request to users interested in a television program. Fig. 17. Enter "Monica Lewinsky" chat group. Paragraph 0131. Chat request to users watching same television program.);

allowing communication messages between the first terminal and second terminal by the server device, based on the received identification information which are indicated in the selected area information (Paragraphs 0126; 0129. Join users to chat group for communication between users.).

8. DeWeese teaches of matching and grouping users for communication based on displayed video image. DeWeese does not specifically teach of sending selected area information, which indicates areas selected on the displayed video image, and communication based on an overlap between the areas, which are indicated in the selected area information.

Abrahams teaches a system for interactive television, wherein a terminal device sends selected area information (coordinates corresponding to the location), which indicates area selected on a displayed video image, and matching the selected area information (overlap) with selected area information on a database (Paragraphs 0047; 0053. Compare and match program selection information. Selection information comprises program name and coordinates.).

9. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of DeWeese and Abrahams for the grouping of terminal devices for communication as taught by DeWeese to be also based on matching of selected area information which indicates area selected on a displayed video image sent by viewers as taught by Abrahams. The motivation for the suggested combination is that DeWeese states that modifications can be made without departing from the scope of the invention (Paragraph 0153). Furthermore, in addition to grouping by television program and channel as taught by DeWeese, Abrahams' teachings would allow a grouping of users that is more specific to users' interests.

10. As per claim 2, DeWeese teaches the information exchange method as recited in claim 1 wherein: the first terminal device displays the video image regarding the content of interest rendered by media and sends first information to the server device (fig. 9,13, and 17. Paragraph 0097. Users watch a television program.), the first information including first identification information to identify the displayed video image on the first terminal device (Paragraph 0113. Chat groups are related to particular

Art Unit: 2154

television programs or channel. Paragraph 0133. Chat request to users interested in a television program.

Fig. 17. Enter “Monica Lewinsky” chat group. Paragraph 0131. Chat request to users watching same television program.),

the second terminal device displays the video image regarding the content of interest rendered by media and sends second information to the server device (fig. 9,13, and 17. Paragraph 0097. Users watch a television program.), the second information including second identification information to identify the displayed video image on the second terminal device (Paragraph 0113. Chat groups are related to particular television programs or channel. Paragraph 0133. Chat request to users interested in a television program. Fig. 17. Enter “Monica Lewinsky” chat group. Paragraph 0131. Chat request to users watching same television program.);

the server device makes up a group of the first and second terminal devices, according to a grouping process using by judging an overlap (Paragraphs 0126; 0129. Join users to chat group for communication between users. Paragraphs 0113; 0133. Group users who are interested to particular television programs or channel.);

the first terminal sends a first message to the server device (Paragraphs 0094; 0120. Message sent to server.);

the server device sends the first message to one or more terminal devices belonging to the group including the second terminal device (Paragraphs 0094; 0120. Message sent to server. Paragraph 0111. Server may route real-time communications from participates in chat group to other participants.); and

the second terminal device receives and outputs the message (fig. 9; 16. Paragraphs 0093; 0120. Display messages.).

11. DeWeese does not specifically teach the first information including first selected area information to define an area which is selected by a user of the first terminal device on the display video image on the first terminal device; the second information including a second selected area information to define an

Art Unit: 2154

area which is selected by a user of the second terminal device on the displayed video image on the second terminal device; and a grouping process using by judging an overlap between areas defined in the first and second area information sent to the first and second terminal devices.

Abrahams teaches a system for interactive television, wherein a terminal device sends selected area information (coordinates corresponding to the location), which indicates area selected on a displayed video image, and matching the selected area information (overlap) with selected area information on a database (Paragraphs 0047; 0053. Compare and match program selection information. Selection information comprises program name and coordinates.).

12. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of DeWeese and Abrahams for the grouping of terminal devices for communication as taught by DeWeese to be also based on matching of selected area information which indicates area selected on a displayed video image sent by viewers as taught by Abrahams. The motivation for the suggested combination is that DeWeese states that modifications can be made without departing from the scope of the invention (Paragraph 0153). Furthermore, in addition to grouping by television program and channel as taught by DeWeese, Abrahams' teachings would allow a grouping of users that is more specific to users' interests.

13. As per claim 3, DeWeese teaches the information exchange method as recited in claim 2 wherein:
the grouping process comprises one of or a combination of a plurality of the following:

grouping terminal devices for information exchange for which matching to a certain extent occurs regarding the first and second information received therefrom;

grouping terminal devices for information exchange for which matching to a certain extent occurs regarding the first and second identification information and the first and second object information, received therefrom;

grouping terminal devices for information exchange by limiting the number of terminal devices to form a group to a given number;

grouping terminal devices for information exchange for which matching occurs in one of or a plurality of items for information designating appointed identifiers of terminal devices for information exchange, geographical area, interests, content titles, and community, respectively (Paragraph 0075. User profile contains favorite programs. Paragraph 0085. User profile information used to form chat group between users.).

14. As per claim 12, DeWeese teaches the information exchange method according to claim 1, wherein the server device allows communication of messages between the first terminal device and the second terminal device (Paragraph 0111. Server may route real-time communications from participates in chat group to other participants.) based on consistency between the identification from the first terminal device and identification information from the second terminal device (Paragraphs 0113; 0131. Group users based on interest to a particular television programs or channel. Paragraph 0133. Chat request to users interested in a television program.). DeWeese does not specifically teach of object information from devices and consistency between object information.

Abraham teaches a system for interactive television, wherein a terminal device provides identification and object information that are matched in a database (Paragraph 0047; 0053. Match selection information comprising program name and coordinates corresponding to location.).

15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the suggested system with the teachings of Abraham for the communication of messages between terminal devices as taught by DeWeese to be also based on matching of objection information provided by a terminal as taught by Abraham. The motivation for the suggested modification

Art Unit: 2154

is that Abraham's teachings would allow viewers to chat with other users based on specific objects on TV in addition to chatting based on the particular programs and channels as taught by DeWeese.

16. As per claim 13, DeWeese teaches the information exchange method according to claim 12, wherein the communication messages between the first terminal device and the second terminal device includes chat using the computer network (Abstract; Paragraphs 0011; 0099; 0123; 0145. Chat between users.).

17. As per claim 14, DeWeese teaches the information exchange method according to claim 12, wherein the displayed video image regarding the content is a television video image (Abstract. Television programming. fig. 9,13, and 17. Paragraph 0097. Users watch a television program.).

18. As per claim 15, DeWeese does not specifically teach the information exchange method according to claim 1, wherein the object information includes area information indicated from the displayed video image by using a pointing device.

Abraham teaches a system for interactive television, wherein object information includes area information indicated from the displayed video image by using a pointing device (Paragraph 0046. Remote control, mouse-type device is used to select object. Selection of object results generation of selection information comprising coordinates.).

19. It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the suggested system with the teachings of Abraham to provide object information that includes area information indicated from the displayed video image by using a pointing device. The motivation for the suggested modification is that Abraham's teachings would allow viewers to efficiently

Art Unit: 2154

identify objects of interests for chatting with other users as suggested in the combined system or receiving information regarding objects of interest as taught by Abraham.

20. Claims 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeWeese, in view of Abrahams and Sarachik et al. US Patent #6,816,628 (Sarachik hereinafter).

21. As per claim 4, DeWeese teaches substantially the invention as claimed including an information exchange method, comprising the steps of:

obtaining contents of interest rendered by media using a first terminal device and a second terminal device for information exchange connected to a computer network (Paragraph 0097. Users watch a television program. Fig. 2b; Paragraph 0073. User television equipment.);

displaying video images regarding the contents on the first terminal device and on the second terminal device (fig. 9,13, and 17. Paragraph 0097. Users watch a television program.);

sending identification information to identify the displayed video image on the first terminal device (Paragraph 0113. Chat groups are related to particular television programs or channel. Paragraph 0133. Chat request to users interested in a television program. Fig. 17. Enter "Monica Lewinsky" chat group. Paragraph 0131. Chat request to users watching same television program.), and a message from the first terminal device to a server device for information exchange, across a computer network (Paragraphs 0094; 0120. Message sent to server. Server creates group.);

sending identification information to identify the displayed video image on the second terminal device (Paragraph 0113. Chat groups are related to particular television programs or channel. Paragraph 0133. Chat request to users interested in a television program. Fig. 17. Enter "Monica Lewinsky" chat group. Paragraph 0131. Chat request to users watching same television program.), and a message from the second terminal device to a server device for information exchange, across a computer network (Paragraphs 0094; 0120. Message sent to server. Server creates group.);

making up a group of two or more terminals devices including at least the first terminal device and the second terminal device (Paragraphs 0126; 0129. Join users to chat group for communication between users. Paragraphs 0113; 0133. Group users who are interested to particular television programs or channel.),

sending the messages which are sent from the first terminal device to the server device, to the second terminal device belonging to the group across the computer network by the server device (Paragraphs 0094; 0120. Message sent to server. Paragraph 0111. Server may route real-time communications from participates in chat group to other participants.);

displaying the messages on the second terminal device based on the messages (fig. 9; 16. Paragraphs 0093; 0120. Display messages.).

22. DeWeese teaches of matching and grouping users for communication based on common interests. DeWeese does not specifically teach of terminal devices sending selected area information, which indicates areas selected on the displayed video image, and communication based on an overlap between the areas, which are indicated in the selected area information. DeWeese also does not teach of sending identification information and the selected area information from the first terminal device to the server device; receiving the identification and selected area information from the server device by the second terminal device; and displaying the messages on the second terminal device **based on** the received identification and selected area information.

Abrahams teaches of a system for an interactive television, wherein a terminal device sends selected area information (coordinates corresponding to the location), which indicates area selected on a displayed video image, and matching the selected area information (overlap) with selected area information on a database (Paragraphs 0047; 0053. Compare and match program selection information. Selection information comprises program name and coordinates.).

Art Unit: 2154

23. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of DeWeese and Abrahams for the grouping of terminal devices for communication as taught by DeWeese to be also based on matching of selected area information which indicates area selected on a displayed video image send by viewers as taught by Abrahams. The motivation for the suggested combination is that DeWeese states that modifications can be made without departing from the scope of the invention (Paragraph 0153). Furthermore, in addition to grouping by television program and channel as taught by DeWeese, Abrahams' teachings would allow a grouping of users that is more specific to users' interests.

24. DeWeese and Abrahams still do not specifically teach of sending identification information and the selected area information from the first terminal device to the server device; receiving the identification and selected area information from the server device by the second terminal device; and displaying the messages on the second terminal device based on the received identification and selected area information.

Sarachik teaches a system for sending information regarding a displayed image, wherein a message, identification information, and selected area information are sent from a first terminal device to the server device (col. 4, lines 45-55, 56-62. Send annotation data, i.e. price, name, textual information, regarding objects. Send information about shape and location of object, e.g. shirt. Selection portions of image.); the identification and selected area information is received from the server device by the second terminal device; and the messages on the second terminal device is displayed based on the received identification and selected area information (col. 7, lines 59-64; col. 11, lines 21-24; col. 13, lines 45-47. Display annotated data at television display based on regions. col. 9, lines 35-42, 53-56. Display information.).

Art Unit: 2154

25. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the suggested system of DeWeese and Abrahams with the teachings of Sarachik for the first terminal device communicating with the second terminal device via server as taught by DeWeese to send a message, identification information, and selected area information to a second device via a server, and for the second device to display the message based on the identification information and selected area information. The motivation for the suggested combination is that Sarachik's teachings would allow viewers to receive and display information identifying objects of interest in TV transmissions.

26. As per claim 5, DeWeese teaches the information exchange method as recited in claim 4 wherein: said server device makes up a group of terminal devices for information exchange having a group identifier registered beforehand (Paragraphs 0099; 0123; 0145. Chat groups maintained by server. Paragraph 0116. List of chat groups. It is essential that chat groups have identifiers to individually identify the groups.).

27. As per claim 6, DeWeese teaches the information exchange method as recited in claim 4 wherein: the server device makes up group of terminal devices for information exchange in such a way in which:

the server device makes a list of one or more groups that have been made up and related group information and sends the group list to the first terminal device (Paragraph 0116. Provide list of chat groups to the user. Paragraph 0117. Chat groups.);

the first terminal device receives and outputs the group list, selects the group information for one group from the group list, then sends the selected group information to the server device across the computer network (Paragraphs 0117; 0123; 0130. User selects and joins chat group.); and;

the server device sets the first terminal device to join the group appointed by the selected group information (Paragraphs 0099; 0123; 0145. Chat groups maintained by server. Server joins the user to the chat group.).

28. As per claim 7, DeWeese teaches the information exchange method as recited in claim 6 wherein: the group information includes the identification information (Paragraph 0113. Chat groups are related to particular television programs or channel. Paragraph 0116. List of chat groups.). DeWeese does not specifically the group information including the object information.

Abraham teaches a system for interactive television, wherein identification and object information are provided for matching (Paragraph 0047; 0053. Program name and coordinates corresponding to location.).

29. It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the suggested system with the teachings of Abraham for the group information including identification as taught by DeWeese to further include objection information for the selection of chat groups. The motivation for the suggested modification is that Abraham's teachings would allow viewers to chat with other users based on specific objects on TV in addition to chatting based on the particular programs and channels.

30. As per claim 8, DeWeese teaches the information exchange method as recited in claim 4 wherein: said message comprises one of a combination of a plurality of the following items: character strings of text and keywords, vide information, advertising information, time information, thumbnail images, and a pointer information (Paragraph 0094. Messages using keyword. Paragraph 0101; 0106-0107. Audio and video communications.).

Conclusion

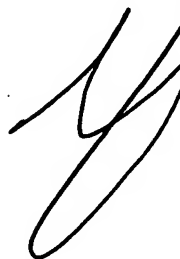
31. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
32. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.
33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Friday 7 to 4.
34. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
35. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

Art Unit: 2154

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 5, 2007
JJ

NATHAN FLYNN
SUPERVISORY PATENT EXAMINER

A handwritten signature in black ink, appearing to be 'Nathan Flynn', written over the printed name and title.